

**HAMPTON ZONING BOARD OF ADJUSTMENT  
MINUTES  
June 20, 2013**

**Members Present**

Vic Lessard, Chairman  
Bryan Provencal, Vice Chairman  
Tom McGuirk  
Bill O'Brien  
Jack Lessard (Alternate)

**Others Present**

Joan Rice, Secretary

Chairman Lessard called the meeting to order at 7:00 p.m.

The Pledge of Allegiance was said.

Board members were introduced.

**PETITION SESSION**

**23-13...**The petition of Phyllis Grammatic through Peter D. Ross for property located at 580 Winnacunnet Road seeking relief from Articles 4.1.1, 4.4, 6.1, 6.3.1, 8.2.1, 8.2.3, 8.2.4 and 8.2.6 to completely demolish the existing motel and construct 28 one-bedroom garden-style, multi-family condominium units which will require variances for recreation area, height, setbacks, units and parking. This property is located on Map 235, Lot 007 and in a BS Zone.

Attorney Peter Saari, Casassa & Ryan, and Joe Coronati, Jones & Beach, came forward. Attorney Saari said the applicant wishes to replace an old motel property with a multi-family condominium unit. Height is the big issue. There is a 50 ft. limit. This building would extend 3 ft. 4 in. above that to provide for a more attractive building and allow mechanicals to be enclosed within the attic area. The three cupolas, which extend 10 feet beyond the ridge would have no more impact on the public than chimneys would.

Mr. Coronati said the existing motel is a small one-story structure which has been there for many years. The site is an old, tired property with no defined entrance. The building is right against the abutters' property line. The proposed building would be towards the road and away from the abutters' property line. All parking will be out back behind the building. There will be 33 parking spaces.

Attorney Saari went through the five criteria and said he felt they had been met.

*Questions from the Board*

Chairman O'Brien asked if this property is in the Village District. Attorney Saari said it was not.

Mr. McGuirk asked who would be the residents for these condos. Mr. Coronati said the units are all one-bedroom and there is a potential for year round residence. Most likely it will be for people who want a summer place.

Mr. McGuirk said he would rather have nice architectural features than a "box". The cupolas are narrow and unobtrusive and add a lot of aesthetics to this building.

Mr. J. Lessard said he felt the building was too big for the property.

*Comments from the Audience*

Sean Twomey, 5 Red Coat Lane, came forward. Mr. Twomey said the abutters would lose benefits that have been available for 50 years. This will cause a lot of traffic and noise. This area is single-family and this project will change the character of the neighborhood and decrease property values.

Mr. O'Brien said any conservation, parking and lighting issues would be addressed by the Planning Board.

Kelly Martin, 12 Red Coat Lane, came forward. Ms. Martin said recreation space and parking are of concern to her. There are safety issues involved.

Edmund James, 6 Fieldstone Circle, came forward. He said he was speaking on behalf of his father who lives at 9 Red Coat Lane. Mr. James said his father agrees with the other abutters that this structure would be too large for the property. He is also concerned about the water issue as Red Coat Lane floods constantly. Privacy is a concern and Mr. James asked if a universal fence would be put up between the properties. Mr. Coronati said that they could do that and also that there are no windows in back except for the stairwell.

Troy Bosno, 9 Kings Highway, came forward. Mr. Bosno asked where the AC units would be located. Mr. Coronati said in the unit or on the roof line. Mr. Bosno asked about power transformers. Mr. Coronati said they have not gone that far with Unitil for options. Mr. Bosno said there will be a loss of sunsets. They will be blocked by this building. Mr. Bosno asked about snow removal. Mr. McGuirk said that is a Planning Board issue.

Carol Sedaris, 8 Red Coat Lane, came forward. She said she is very much opposed to this project due to problems with height, parking, the wetlands, etc.

Joan Speass, 10 Kings Highway, came forward. Ms. Speass said consideration should be given to people who have lived here for many years and who will lose the sun, sunsets, etc.

Ken Spatola, resident, asked if the developer would consider going with three stories rather than four.

Peter Ross, developer, came forward. Mr. Ross said if this project is not approved, they will go to the Planning Board for contels.

*Back to the Board*

Mr. Provencal asked Mr. Ross if he would consider going to three stories. Mr. Ross said he could not make that decision because he has other partners.

Mr. McGuirk said this is a beautiful building and there is no right to views. Mr. McGuirk said the problem here is parking. It is naïve to say it only needs one-car parking.

Mr. Provencal said he agreed about the parking, but this is better than contels.

Mr. Lessard said he still believes the building is too big.

Mr. O'Brien said he would ask the applicant to give some consideration to Board member comments and perhaps come back in a month. The applicant did not choose this option.

**Moved** by Mr. McGuirk, seconded by Mr. J. Lessard, to deny Petition 23-13.

Chairman Lessard asked the members of the Board if they felt the five criteria had been met. All members said they had not been met with the exception of Mr. Provencal who abstained.

**Vote:** 3 yes, 0 no, 2 abstentions (O'Brien, Provencal). Motion passed.

At this time, the Board took a five minute break.

**24-13...**The petition of J.S.T. Properties, LLC for property located at 139 Ocean Blvd. seeking relief from Articles 1.3, 4.5.1, 4.5.2 and Article V Table II to raise and add a freestanding premises sign, a portion of which would be electronic, from 14 feet to 20 feet, at its current location about 2' from the front and side property lines. This property is located on Map 287, Lot 42 and in a BS Zone.

Peter Traynor, applicant, and Attorney Peter Saari came forward. Attorney Saari went through the five criteria and said he felt they had been met.

*Questions from the Board*

Mr. O'Brien said that an electronic sign can change only once a minute and he wanted to make sure the applicant was aware of this. Mr. O'Brien asked about the No Vacancy sign which is there now. Mr. Traynor said it would be removed.

*Comments from the Audience*

There were no comments from the Audience.

*Back to the Board*

**Moved** by Mr. O'Brien, seconded by Mr. Provencal, to grant Petition 24-13.

Chairman Lessard asked the Board if they felt the five criteria has been met. All members agreed that they had with the exception of Mr. McGuirk who abstained.

**Vote:** 4 yes, 0 no, 1 abstention (McGuirk). Motion passed.

**BUSINESS SESSION**

**Adoption of Minutes**

**Moved** by Mr. O'Brien, seconded by Mr. Provencal, to approve the Minutes of May 16, 2013 as amended.

**Vote:** 5 yes, 0 no. Motion passed unanimously.

**Moved** by Mr. O'Brien, seconded by Mr. Provencal, to go into non-public session at 8:50 p.m. per RSA 91-A:2 I(b).

**Roll Call Vote:** 5 yes, 0 no. Motion passed unanimously.

Respectfully submitted,

Joan Rice  
Secretary